

Puerto Rico Part C FFY 2007 SPP/APR Response Table

Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
<p>1. Percent of infants and toddlers with IFSPs who receive the early intervention services on their IFSPs in a timely manner.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 93.7%. These data represent progress from the FFY 2006 data of 93%.</p> <p>The Commonwealth did not meet its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that one of seven findings of noncompliance identified in FFY 2006 was corrected in a timely manner. For the uncorrected noncompliance the Commonwealth reported four of six remaining findings of noncompliance subsequently were corrected. The Commonwealth reported that the remaining two findings of noncompliance were due to delays in payments by the Puerto Rico Department of Treasury on contracts that resulted in some providers resigning and others reducing the number of hours. The Commonwealth reported that it did not apply enforcement or sanctions to the specific providers because the late payment is an issue that needs to be resolved with the Puerto Rico Department of Treasury.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the Commonwealth to include in the FFY 2007 APR, due February 2, 2009, information on the remaining noncompliance from FFY 2005. The Commonwealth reported that all seven early intervention programs had noncompliance during FFY 2005. For FFY 2007, three of the programs showed compliance with the timely provision of services and the remaining four showed significant progress.</p> <p>The Commonwealth was identified as being in need of assistance for two consecutive years based on the Commonwealth's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the Commonwealth received assistance; and (2) the actions the Commonwealth took as a result of that technical assistance. The Commonwealth reported on the technical assistance sources from which the Commonwealth received assistance for this indicator and reported on the actions the Commonwealth took as a result of the technical assistance.</p>	<p>The Commonwealth reported that noncompliance identified in FFYs 2005 and 2006 with the timely service provision requirements in 34 CFR §§303.340(c), 303.342(e) and 303.344(f)(1) was partially corrected. The Commonwealth must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the four uncorrected noncompliance findings from FFY 2005 and the two uncorrected noncompliance findings from FFY 2006 were corrected.</p> <p>The Commonwealth must demonstrate, in the FFY 2008 APR due February 1, 2010, that the Commonwealth is in compliance with the timely provision requirements, including correction of the noncompliance the Commonwealth reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction of the four FFY 2005 and two FFY 2006 findings and of the noncompliance reported under this indicator in the FFY 2007 APR, the Commonwealth must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with noncompliance reported by the Commonwealth under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has initiated services for each child, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps												
		Memorandum 09-02, dated October 17, 2008 (OSEP Memo 09-02). If the Commonwealth is unable to demonstrate compliance in the FFY 2008 APR, the Commonwealth must review its improvement activities and revise them, if necessary to ensure compliance.												
2. Percent of infants and toddlers with IFSPs who primarily receive early intervention services in the home or programs for typically developing children. [Results Indicator]	The Commonwealth’s FFY 2007 reported data for this indicator are 99.9%. The Commonwealth’s data reflect a high level of performance for this indicator. The Commonwealth met its FFY 2007 target of 99.3%.	The Commonwealth’s actual target data for provision of services to infants and toddlers in natural environments are at or greater than 95%. There is no expectation that an increase in that percentage is necessary. OSEP appreciates the Commonwealth’s efforts to improve performance and assumes that the Commonwealth is monitoring to ensure that IFSP teams are making service setting decisions on an individualized basis and in compliance with 34 CFR §§303.12, 303.18, and 303.344(d)(1)(ii).												
3. Percent of infants and toddlers with IFSPs who demonstrate improved: A. Positive social-emotional skills (including social relationships); B. Acquisition and use of knowledge and skills (including early language/ communication); and C. Use of appropriate behaviors to meet their needs. [Results Indicator; New]	<div>The Commonwealth’s FFY 2007 reported progress data for this indicator are:</div> <table><tr><th>07-08 Infant and Toddler Outcome Progress Data</th><th>Social Emotional</th><th>Knowledge & Skills</th><th>Appropriate Behavior</th></tr><tr><td>a. % of infants & toddlers who did not improve functioning.</td><td>0</td><td>0</td><td>0</td></tr><tr><td>b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.</td><td>38</td><td>54</td><td>47.2</td></tr></table>	07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior	a. % of infants & toddlers who did not improve functioning.	0	0	0	b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	38	54	47.2	The Commonwealth reported the required progress data and improvement activities. The Commonwealth must provide baseline data, targets and improvement activities with the FFY 2008 APR, due February 1, 2010.
07-08 Infant and Toddler Outcome Progress Data	Social Emotional	Knowledge & Skills	Appropriate Behavior											
a. % of infants & toddlers who did not improve functioning.	0	0	0											
b. % of infants & toddlers who improved but not sufficient to move nearer to functioning comparable to same-aged peers.	38	54	47.2											

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	c. % of infants & toddlers who improved to a level nearer to same-aged peers but did not reach it.	8	11.5	5.7																						
	d. % of infants & toddlers who improved functioning to reach a level comparable to same-aged peers.	8	11.5	5.7																						
	e. % of infants & toddlers who maintained functioning at a level comparable to same-aged peers.	46	23	41.4																						
	Total (approx. 100%)	100.00 %	100.00 %	100.00 %																						
4. Percent of families participating in Part C who report that early intervention services have helped the family: A. Know their rights; B. Effectively communicate their children's needs; and C. Help their children develop and learn. [Results Indicator]	The Commonwealth's reported data for this indicator are: <table><tr><td></td><td>FFY 2006 Data</td><td>FFY 2007 Data</td><td>FFY 2007 Target</td><td>Progress</td></tr><tr><td>A. Know their rights. (%)</td><td>60</td><td>87</td><td>84.9</td><td>27.00%</td></tr><tr><td>B. Effectively communicate their children's needs. (%)</td><td>57</td><td>86</td><td>82.2</td><td>29.00%</td></tr><tr><td>C. Help their children develop and learn. (%)</td><td>79</td><td>91</td><td>88.2</td><td>12.00%</td></tr></table> These data represent progress from the FFY 2006 data. The Commonwealth met its FFY 2007 targets for this indicator. The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.						FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress	A. Know their rights. (%)	60	87	84.9	27.00%	B. Effectively communicate their children's needs. (%)	57	86	82.2	29.00%	C. Help their children develop and learn. (%)	79	91	88.2	12.00%	OSEP appreciates the Commonwealth's efforts to improve performance.
	FFY 2006 Data	FFY 2007 Data	FFY 2007 Target	Progress																						
A. Know their rights. (%)	60	87	84.9	27.00%																						
B. Effectively communicate their children's needs. (%)	57	86	82.2	29.00%																						
C. Help their children develop and learn. (%)	79	91	88.2	12.00%																						
5. Percent of infants and toddlers birth to 1 with IFSPs compared to: A. Other States with similar eligibility definitions; and	The Commonwealth revised improvement activities and the targets for FFYs 2008 through 2009 for this indicator and OSEP accepts those revisions. The revised targets for this indicator are less rigorous but the end target in FFY 2010 reflects improvement from the Commonwealth's baseline. The Commonwealth indicated that stakeholders were provided an opportunity to					OSEP looks forward to the Commonwealth's data demonstrating improvement in performance in the FFY 2008 APR, due February 1, 2010.																				

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<p>B. National data.</p> <p>[Results Indicator]</p>	<p>comment on the revised targets.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are .63%. These data represent progress from the FFY 2006 data of .61%.</p> <p>The Commonwealth did not meet its FFY 2007 target of .70%.</p>	
<p>6. Percent of infants and toddlers birth to 3 with IFSPs compared to:</p> <p>A. Other States with similar eligibility definitions; and</p> <p>B. National data.</p> <p>[Results Indicator]</p>	<p>The Commonwealth's FFY 2007 reported data for this indicator are 3.25%. These data represent progress from the FFY 2006 data of 2.85%.</p> <p>The Commonwealth met its FFY 2007 target of 2.10%.</p>	<p>OSEP appreciates the Commonwealth's efforts to improve performance.</p>
<p>7. Percent of eligible infants and toddlers with IFSPs for whom an evaluation and assessment and an initial IFSP meeting were conducted within Part C's 45-day timeline.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 98.4%. These data represent progress from the FFY 2006 data of 97.4%.</p> <p>The Commonwealth did not meet its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that one of three findings of noncompliance identified in FFY 2006 was corrected in a timely manner. For the two uncorrected findings of noncompliance, the Commonwealth reported that one of two remaining findings of noncompliance subsequently was corrected. The Commonwealth reported that the remaining noncompliance was due to delays in payments by the Puerto Rico Department of Treasury on contracts that resulted in some providers resigning and others reducing the number of hours.</p>	<p>The Commonwealth reported that noncompliance identified in FFY 2006 with the 45-day timeline requirements in 34 CFR §§303.321(e)(2), 303.322(e)(1), and 303.342(a) was partially corrected. The Commonwealth must demonstrate, in the FFY 2008 APR, due February 1, 2010, that the one remaining FFY 2006 finding was corrected.</p> <p>OSEP appreciates the Commonwealth's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the Commonwealth's data demonstrating that it is in compliance with the 45-day timeline requirements, including correction of the noncompliance the Commonwealth reported under this indicator in the FFY 2007 APR.</p> <p>In reporting on correction, the Commonwealth must report, in its FFY 2008 APR due February 1, 2010, that it has verified that each EIS program with</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
		<p>noncompliance reported by the Commonwealth under this indicator in the FFY 2007 APR: (1) is correctly implementing the specific regulatory requirements; and (2) has conducted the initial evaluation, assessment, and IFSP meeting, although late, unless the child is no longer within the jurisdiction of the EIS program, consistent with OSEP Memo 09-02.</p> <p>If the Commonwealth is unable to demonstrate compliance in the FFY 2008 APR, the Commonwealth must review its improvement activities and revise them, if necessary to ensure compliance.</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>A. IFSPs with transition steps and services;</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth's FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 91.6%.</p> <p>The Commonwealth met its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that all three findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the Commonwealth to include in the FFY 2007 APR, due February 2, 2009, information on the remaining noncompliance from FFY 2005. The Commonwealth reported that all the programs that were in noncompliance in FFY 2005 came into compliance by FFY 2007.</p> <p>The Commonwealth was identified as being in need of assistance for two consecutive years based on the Commonwealth's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the Commonwealth received assistance; and (2) the actions the Commonwealth took as a result of that technical assistance. The Commonwealth reported on the technical assistance sources from which the Commonwealth received assistance for this indicator and reported on the actions the Commonwealth</p>	<p>The Commonwealth reported that noncompliance identified in FFY 2006 with the IFSP transition content requirements in 34 CFR §§303.148(b)(4) and 303.344(h) was corrected in a timely manner.</p> <p>OSEP appreciates the Commonwealth's efforts in achieving compliance with the IFSP transition planning requirements in 34 CFR §§303.148(b)(4) and 303.344(h).</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	took as a result of the technical assistance.	
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>B. Notification to LEA, if child potentially eligible for Part B; and</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 100%. These data represent progress from the FFY 2006 data of 99%.</p> <p>The Commonwealth met its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that all three findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p>	<p>The Commonwealth reported that noncompliance identified in FFY 2006 with LEA notification requirements in 34 CFR §303.148(b)(1) was corrected in a timely manner.</p> <p>OSEP appreciates the Commonwealth's efforts in achieving compliance with the LEA notification requirements in 34 CFR §303.148(b)(1).</p>
<p>8. Percent of all children exiting Part C who received timely transition planning to support the child's transition to preschool and other appropriate community services by their third birthday including:</p> <p>C. Transition conference, if child potentially eligible for Part B.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 99.6%, which represents timely transition conferences for all but one child and the Commonwealth reported correction for that one child (although late). These data represent progress from the FFY 2006 data of 88%.</p> <p>The Commonwealth did not meet its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that all seven findings of noncompliance identified in FFY 2006 were corrected in a timely manner.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the Commonwealth to include in the FFY 2007 APR, due February 2, 2009 information on the remaining noncompliance from FFY 2005. The Commonwealth reported correction for all seven programs in FFY 2007.</p> <p>The Commonwealth was identified as being in need of assistance for two consecutive years based on the Commonwealth's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the Commonwealth received assistance; and (2) the actions the Commonwealth took as a result of that technical assistance. The Commonwealth reported on the technical assistance sources from which the Commonwealth received assistance for this indicator and reported on the actions the Commonwealth</p>	<p>The Commonwealth reported that noncompliance identified in FFY 2006 with timely transition conference requirements in 34 CFR §303.148(b)(2)(i) (as modified by IDEA section 637(a)(9)(A)(ii)(II)) was corrected in a timely manner.</p> <p>OSEP appreciates the Commonwealth's efforts and looks forward to reviewing in the FFY 2008 APR, due February 1, 2010, the Commonwealth's data demonstrating that it is in compliance with the timely transition conference requirements.</p>

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Monitoring Priorities and Indicators	Status of APR Data/SPP Revision Issues	OSEP Analysis/Next Steps
	took as a result of the technical assistance.	
<p>9. General supervision system (including monitoring, complaints, hearings, etc.) identifies and corrects noncompliance as soon as possible but in no case later than one year from identification.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 75%. These data represent progress from the FFY 2006 data of 59.6%.</p> <p>The Commonwealth did not meet its FFY 2007 target of 100%.</p> <p>The Commonwealth reported that 21 of 28 findings of noncompliance identified in FFY 2006 were corrected in a timely manner. For the uncorrected noncompliance, the Commonwealth reported that four of seven remaining findings of noncompliance were subsequently corrected. The Commonwealth reported that the remaining three findings of noncompliance were due to delays by the Commonwealth's Treasury Department in payments on contracts that resulted in some providers resigning and others reducing the number of hours. The Commonwealth's Secretary of Health issued a letter to the Secretary of Treasury in Puerto Rico requesting resolution of the problem and identifying consequences for the Puerto Rico early intervention. OSEP will respond in a separate letter to the Commonwealth on this issue.</p> <p>OSEP's June 6, 2008 FFY 2006 SPP/APR response table required the Commonwealth to include in the FFY 2007 APR, due February 2, 2009, information on the remaining noncompliance from FFY 2005. The Commonwealth reported that for FFY 2005, Puerto Rico's general supervision system identified 46 findings that were not corrected within the one year timeline for indicators 1, 5, 6, 7, 8A, 8B, 8C and other priority areas. For FFY 2007, Puerto Rico's general supervision system has significantly improved the noncompliance identification and correction, since only seven findings still remain for Indicators 1 and 7.</p> <p>The Commonwealth was identified as being in need of assistance for two consecutive years based on the Commonwealth's FFYs 2005 and 2006 APRs, was advised of available technical assistance, and was required to report, with the FFY 2007 APR, on: (1) the technical assistance sources from which the Commonwealth received assistance; and (2) the actions the Commonwealth took as a result of that technical assistance. The Commonwealth reported on the technical assistance sources from which the Commonwealth received assistance for this indicator and reported on the actions the Commonwealth</p>	<p>The Commonwealth must review its improvement activities and revise them, if appropriate, to ensure they will enable the Commonwealth to provide data in the FFY 2008 APR, due February 1, 2010, demonstrating that the Commonwealth timely corrected noncompliance identified by the Commonwealth in FFY 2007 and correction of the four FFY 2005 (under Indicator 1 above) and three FFY 2006 (under Indicators 1 and 7 above) findings, in accordance with IDEA section 635(a)(10)(A) and 34 CFR §303.501(b) and OSEP Memo 09-02.</p> <p>In reporting on correction of noncompliance, the Commonwealth must report that it has: (1) corrected all instances of noncompliance (including noncompliance identified through the Commonwealth's monitoring system, through the Commonwealth's data system and by the Department); and (2) verified that each EIS program with identified noncompliance is correctly implementing the specific regulatory requirements, consistent with OSEP Memo 09-02.</p> <p>In addition, in responding to Indicators 1, 7 and 8C in the 2FFY 2007 APR, due February 1, 2010, the State must report on correction of noncompliance described in this table under those indicators.</p> <p>In reporting on Indicator 9 in the FFY</p>

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	took as a result of the technical assistance.	2008 APR, the Commonwealth must use the Indicator 9 Worksheet.
<p>10. Percent of signed written complaints with reports issued that were resolved within 60-day timeline or a timeline extended for exceptional circumstances with respect to a particular complaint.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth revised the improvement activities for this indicator and OSEP accepts those revisions.</p> <p>The Commonwealth's FFY 2007 reported data for this indicator are 100%, based on the resolution of ten complaints. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The Commonwealth met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the Commonwealth's efforts in achieving compliance with the timely complaint resolution requirements in 34 CFR §§303.510 through 303.512.</p>
<p>11. Percent of fully adjudicated due process hearing requests that were fully adjudicated within the applicable timeline.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth reported that it did not receive any requests for due process hearings during the FFY 2007 reporting period.</p>	<p>OSEP looks forward to reviewing the Commonwealth's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>12. Percent of hearing requests that went to resolution sessions that were resolved through resolution session settlement agreements (applicable if Part B due process procedures are adopted).</p> <p>[Results Indicator]</p>	<p>Not applicable.</p>	<p>This indicator does not apply to the Commonwealth because the Commonwealth has not adopted the Part B due process procedures to resolve Part C due process hearing requests.</p>
<p>13. Percent of mediations held that resulted in mediation agreements.</p> <p>[Results Indicator]</p>	<p>The Commonwealth reported that no mediations were held during the FFY 2007 reporting period.</p> <p>The Commonwealth is not required to provide targets or improvement activities until any FFY in which ten or more mediations are held.</p>	<p>OSEP looks forward to reviewing the Commonwealth's data in the FFY 2008 APR, due February 1, 2010.</p>
<p>14. State reported data (618 and State Performance Plan and Annual Performance Report) are timely and accurate.</p> <p>[Compliance Indicator]</p>	<p>The Commonwealth's FFY 2007 reported data for this indicator are 100%. These data remain unchanged from the FFY 2006 data of 100%.</p> <p>The Commonwealth met its FFY 2007 target of 100%.</p>	<p>OSEP appreciates the Commonwealth's efforts in achieving compliance with the data reporting requirements in IDEA sections 616, 618, and 642 and 34 CFR §§76.720 and 303.540.</p> <p>In reporting on Indicator 14 in the FFY</p>

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		2008 APR, the Commonwealth must use the Indicator 14 Data Rubric.